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BYLINE: JILL ROSEN, SUN REPORTER

BODY:

With an impassioned push from Baltimore lawmakers, the General Assembly is poised today to impose a one-year moratorium on a planned state takeover of 11 failing schools - a move that would buy the city time to find another solution to persistent low performance.

The effort began seconds after the Senate convened yesterday, when a defiant Sen. Nathaniel J. McFadden jumped to his feet, grabbed a microphone and, with his city's legislative delegation unified behind him, pleaded for help in blocking the state takeover.

McFadden, the architect of two emergency measures designed to scuttle the state's plans, worked his colleagues for nearly eight hours straight yesterday, pushing legislation at warp speed through two committees and onto the Senate floor.

As his measure passed its first hurdle, the senator broke down and wept outside the meeting room, partly from relief but more from frustration with those inside who said that Baltimore's schools are squandering money, time and children's futures.

"We're making progress, but we're just not making as much progress as people would like to see," he said, wiping tears from his cheeks. "It's just that it's going to take Baltimore City longer to get where it needs to go."

If the bill passes, the city would have an extra year before the state could move on the takeover.

Baltimore lawmakers are rushing to block the Maryland school board's vote on Wednesday to dramatically expand state intervention in the city school system. The action is considered the first of its kind under the federal No Child Left Behind Act.

House and Senate lawmakers are expected to vote on the moratorium today with the goal of having it on Gov. Robert L. Ehrlich Jr.'s desk by tonight - giving them time to override a potential veto before the annual 90-day session

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ends at midnight April 10.

As senators deliberated the measure in committee, some immediately opposed it, calling the city school system a "disaster" in need of a bailout. But even more senators - from all corners of the state and both parties - sympathized with Baltimore's situation and voted to give the city one more chance to achieve academically without state intervention.

"We can't just blame Baltimore," said Sen. Ulysses Currie, a Prince George's County Democrat. "We all have an investment in solving the educational problems in Baltimore."

Sen. Donald F. Munson, a Washington County Republican, said he wanted to support the moratorium and give the city a chance to make the state proud.

However, the governor denounced the legislative end-run around state Superintendent Nancy S. Grasmick, who asked for and obtained state school board approval this week for the takeover. Ehrlich called the Assembly's maneuvering a poor attempt to defend an inadequate education system. "The premise behind this bill must be that a 10 percent pass rate is acceptable," he said. "I am not going to sentence another generation of kids to a failed education."

Lawmakers appended the moratorium as an amendment to an unrelated city bond bill - the only available piece of city schools legislation available this late in the legislative session. The city's delegation had hoped to use a different avenue to block the proposed school restructuring - bills that would force the state to bring any takeover proposal before the Assembly for approval. But because those bills required hearings and time was running out, lawmakers decided that a moratorium was their best option - though they also introduced the other bills in the Senate and House of Delegates yesterday morning.

Lawmakers rushed the moratorium measure through two committees so it would be ready for a full Senate session at 4 p.m.

Some lawmakers, particularly those opposing the yearlong delay, scoffed at the legislative blitz.

"This whole process is so contorted it's almost laughable," said Sen. J. Lowell Stoltzfus, the GOP leader from the Eastern Shore.

Others, though uncomfortable with the bill's fast track, still sided with the city delegation.

"Part of me agrees with the State Board of Education. We've put \$700 million into this system and I don't see a lot of results yet," said Sen. Patrick J. Hogan, a Montgomery County Democrat. "But I also don't like the way the State Department of Education went about this."

The moratorium would expire on May 30, 2007. Though the state restructuring plan would not start until after that, city officials believe the moratorium would also prevent the state from preparing for such a takeover.

Mayor Martin O'Malley, who has been working to garner support in Annapolis to thwart the state's plan, said yesterday that Baltimore would pursue "every legal and legislative avenue available to us to combat this political election-year cheap shot."

"Those whose primary motivation is holding onto power find it very disturbing that our school system is making progress for the first time in 30 years," he said. "We will put this down."

O'Malley, a Democrat, is running for governor.

Senate President Thomas V. Mike Miller, a Democrat, called the battle between the state and the city "raw politics at its very worst," a move designed purely to tarnish O'Malley's campaign. He pointed to Grasmick's close ties to Ehrlich and how she was once on the Republican's short list for running mate.

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Miller said there are at least 30 votes in the Senate in favor of the moratorium - enough to override a veto from the governor. It is unclear whether support in the House is as substantial.

Ehrlich predicted that the legislation would fail because lawmakers not from Baltimore would vote against it.

Judging from the reaction from lawmakers in the Senate committees, that did not appear to be the case - though some senators clearly questioned how a moratorium would help Baltimore.

"What does this buy you?" asked Sen. Sandra B. Schrader, a Howard County Republican.

"One year to work in a collaborative fashion to get a process to improve performance in these schools," McFadden answered.

"I thought that's been happening," Schrader said.

"Not really," McFadden replied.

Baltimore Sen. Verna L. Jones said a moratorium would enable the city to spend better. "This amendment slows down the process while we look to make sure the state's money is being spent wisely," she said.

McFadden acknowledged that the city school system's problems are overwhelming. Fixing them, he said, will take a real partnership with the state - not the current adversarial situation.

"There's enough blame to go around. There's children out there that need our help," he told the budget committee, his voice rising. "Let's vet this out and let's work together."

jill.rosen@baltsun.com

Sun reporters Kelly Brewington and Doug Donovan contributed to this article.

GRAPHIC: Photo(s)

Sen. Nathaniel J. McFadden (right) asks the Budget and Taxation Committee for a one-year delay in the state takeover of 11 city schools.

KIM HAIRSTON : SUN PHOTOGRAPHER

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